

HOUSE BILL NO. 4207

February 10, 2021, Introduced by Reps. Roth, Bellino, Outman, Damoose, Hall, O'Malley, Fink, Cambensy and Allor and referred to the Committee on Regulatory Reform.

A bill to amend 1980 PA 299, entitled
"Occupational code,"
by amending section 1108 (MCL 339.1108), as amended by 2014 PA 136.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1108. (1) The department shall issue a license to
2 practice as a barber to an individual who fulfills all of the
3 following requirements:

4 (a) Is not less than 17 years of age.

5 (b) Is of good moral character.

1 (c) Demonstrates satisfactory completion of ~~not~~**either of the**
 2 **following:**

3 (i) **Not** less than a 1,800-hour course of study at a licensed
 4 barber college.

5 (ii) **Subject to subsection (4), served as an apprentice for at**
 6 **least 1,800 hours in a barber apprenticeship program.**

7 (d) Passes an examination approved by the board and the
 8 department.

9 (e) Has completed the tenth grade of school or has an
 10 equivalent education as determined by the department.

11 (2) The department shall issue a license as a barber to an
 12 individual who has held a license as a barber in another state,
 13 jurisdiction, or country for 1 out of the 3 years immediately
 14 preceding the date of application if the requirements for licensure
 15 in the other state, jurisdiction, or country are substantially
 16 equivalent to the requirements of subsection (1), as determined by
 17 the department. However, the department may deny or limit a license
 18 **described in this subsection** if the applicant has been disciplined,
 19 or disciplinary action is pending, in another state, jurisdiction,
 20 or country.

21 (3) For the purposes of fulfilling the requirement of
 22 subsection ~~(1)(e)~~, **(1)(c)(i)**, an individual whose instruction as a
 23 barber was received in another state, jurisdiction, or country may
 24 substitute experience as a barber or barber apprentice for
 25 instruction in the ratio of 3 months of experience for 100 hours of
 26 instruction. However, if ~~his or her~~**the individual's** experience as
 27 a barber or barber apprentice was acquired in a country that the
 28 department considers a country from which records are not generally
 29 available, both of the following apply to the substitution of

1 experience for instruction under this subsection:

2 (a) ~~He or she~~ **The individual** may not substitute experience for
3 instruction under this subsection unless he or she provides a
4 signed and notarized attestation detailing his or her experience,
5 including his or her place of employment or apprenticeship, to the
6 department.

7 (b) ~~He or she~~ **The individual** may not substitute experience for
8 any of the hours of instruction concerning safety and sanitation,
9 or concerning laws, rules, and regulations, required by the
10 department by rules promulgated under this article.

11 **(4) A barber apprenticeship program does not satisfy the**
12 **requirements of subsection (1) (c) (ii) unless the owner of the barber**
13 **college or barbershop that conducts the apprenticeship program**
14 **ensures that the apprenticeship program meets all of the following**
15 **requirements:**

16 (a) A student or apprentice is not required to be in
17 attendance for more than 40 hours per week.

18 (b) A system to keep and maintain records as required under
19 subsection (5).

20 (c) A grading system for students or apprentices is
21 established.

22 (d) A student or apprentice is required to pass an examination
23 before the owner of the barber college or barbershop certifies to
24 the department that he or she has completed training.

25 (e) Before the barber college begins training a student, or
26 the barbershop accepts an apprentice, the owner of the barber
27 college or barbershop obtains proof that the student or apprentice
28 has a high school education, or the equivalent of a high school
29 education. This subdivision does not apply to a student who is

1 enrolling in a program offered as a part of the regular curriculum
2 of a public school and approved by the state board of education.

3 (f) Before the barber college begins training a student, or
4 the barbershop accepts an apprentice, the owner of the barber
5 college or barbershop submits an application to the department on
6 behalf of the student or apprentice. The owner of the barber
7 college or barbershop shall retain a copy of the proof of education
8 described in subdivision (e), if applicable, and the application
9 described in this subdivision in the records of the barber college
10 or barbershop until the student or apprentice applies for
11 examination to obtain a license.

12 (5) The owner of a barber college or barbershop that conducts
13 an apprenticeship program shall keep and maintain the following
14 records for each apprentice for at least 3 years:

15 (a) A daily attendance record.

16 (b) A record of the types of services and practical
17 applications performed during the apprentice's training.

18 (c) The date the apprentice began participating in the
19 apprenticeship program.

20 (d) A copy of the apprentice's contract.

21 (e) An evaluation and progress records of the apprentice's
22 work.

23 (f) A proposed completion date of the apprentice's
24 participation in the apprenticeship program.

25 (6) The owner of a barbershop that conducts an apprenticeship
26 program shall provide a curriculum and instruction that is
27 substantially similar to that required to be provided by a barber
28 college.

29 (7) The owner of a barbershop that conducts an apprenticeship

1 program shall not charge a fee for the teaching of barber services
2 to apprentices on the premises. The owner of a barbershop where 1
3 apprentice has been successfully trained may allow the training of
4 additional apprentices at the establishment, except that not more
5 than 2 apprentices may be trained at the same time.

6 (8) If the location of a barbershop where an apprenticeship
7 program is conducted changes, the owner of the barbershop may
8 continue the apprenticeship program at the new location if a new
9 license is issued under section 1111, and an apprentice who was
10 receiving training at the original location may continue to receive
11 training at the new location.

12 (9) As used in this section, "apprentice" means an individual
13 who is engaged in learning the theory and practice of serving as a
14 barber and providing barber services.